IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

Writ Petition No.3680 of 2007

(Haribhau s/o Purushottam Jambhulkar v. The Divisional Railway Manager, South Eastern Central Railway and others)

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Office Notes, Memoranda of Coram, appearances, Court's orders or directions : Court's or Judge's orders and Registrar's orders.

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Shri R.K. Thakkar, Advocate for Petitioner.

CORAM : A.H. Joshi & R.C. Chavan, JJ.
DATE : 27th August, 2007

1. The petitioner challenges the order of transfer, whereby he is posted on narrow guage.

2. The challenge before the Central Administrative Tribunal was defended by the Railway Establishment by filing reply. In the reply, it was very specifically stated that the petitioner had extremely poor knowledge about the working of locomotives on broad-guage and it would have rendered very unsafe had he been continued on broad-guage. In view of this, the petitioner was posted on narrow-guage. Before the Central Administrative Tribunal, it was also stated by the the Railway Establishment that the petitioner was posted on narrow-guage as per the choice given by him. Considering this statement that the petitioner was posted as per his choice, the Tribunal disposed of the petitioner's Original Application.

3. In this situation, we find that the order passed by the Tribunal cannot be said be erroneous or perverse. The petition does not call for any interference. It is, therefore, dismissed.

JUDGE JUDGE

pdl